

TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1401 SPR



Project Name: IMMELMAN HANGARS AT GROVE FIELD 2

Case Numbers: PSR2009-00037; SEP2009-00078; CRA2009-00003

Location: NW Corner of NE 267th Avenue and SR-500 Intersection

Request: Site plan approval to construct eight hangars located on 19.06 acres in the Airport zoning district

Applicant: MSE Planning & Engineering
Attn: Samuel Moss
16105 NE 89th Street
Vancouver, WA 98682
Phone - (360) 883-0686, E-mail - Samuel@msepe.com

Owner: Port of Camas/Washougal
Attn: Scot Walstra
24 South A Street
Washougal, WA 98671

DECISION

Approval, subject to conditions

Team Leader's Initials: ATG **Date Issued:** December 11, 2009

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Planner:	Richard Daviau	4895	richard.daviau@clark.wa.gov
Engineer:	David Bottamini, P.E.	4881	david.bottamini@clark.wa.gov
Fire Marshal Office	Tom Scott	3323	tom.scott@clark.wa.gov
Team Leader:	Michael Butts	4137	michael.butts@clark.wa.gov
Eng. Supervisor:	Sue Stepan, P.E.	4064	sue.stepan@clark.wa.gov

Parcel Numbers: Tax Lots 17 (175474) and 19 (175476) in the Southeast quarter of Section 26, Township 2 North, Range 3 East of the Willamette Meridian

Zoning: Airport

Comp Plan Designation: R-5

Applicable Laws:

Clark County Code: Title 15 (Fire Prevention), Section 40.230.060 (Airport District), Section 40.350 (Transportation), Section 40.350.020 (Transportation Concurrency), Chapter 40.380 (Storm Water Drainage and Erosion Control), Sections 40.500 and 40.510 (Procedures), Section 40.520.040 (Site Plan Review), and Section 40.570 (SEPA)

Neighborhood Association/Contact:

Washougal River Neighborhood Association, **Contact** - Attn: Kevin Addis (President), 512 NE 302nd Avenue, Washougal, WA 98671

Time Limits:

The application was submitted on September 10, 2009 and determined to be fully complete on September 24, 2009. Therefore, the County Code requirement for issuing a decision within 78 days lapses on December 11, 2009.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application can earlier contingently vest if a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

The pre-application conference information was sufficiently complete to qualify for contingent vesting, and the application was submitted within the required 180 days from issuance of the Pre-Application Conference Report. Therefore, the project was vested on the pre-application submittal date of March 5, 2009. The application vested for transportation concurrency on September 24, 2009.

Public Notice:

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, neighborhood association, and property owners within 300 feet of the site on October 8, 2009.

Public Comments:

The County received a written public comment in favor of the proposal (See Exhibit 6).

Project Description/Background

Rezone (to Airport) and preliminary site plan approval for the original Immelman Hangars development was issued on June 26, 2008 for 17 airplane hangars immediately south of the Grove Field Airport (see PSR2008-00015). The applicant now proposes to construct eight additional hangars.

The following is a comprehensive plan, zoning, and use chart of the area surrounding the site:

Compass	Comp Plan	Zoning	Current Land Use
Site	R-5	A	Airport

Compass	Comp Plan	Zoning	Current Land Use
North	R-5	A	Airport
South	R-5	R-5	Residential
East	R-5	R-5	Residential
West	R-5	R-5	Residential

Issues and Staff Analysis

Staff first analyzed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Finding 1 - Permitted Uses

The proposed additional hangars are permitted subject to site plan review.

Pursuant to CCC Table 40.230.010-1 (3), the proposed retail building is permitted outright in the GC Zone, subject to site plan review

Finding 2 - Site Plan

Separate parking spaces for the hangar occupants are not proposed. The applicant indicates that vehicles will be parked in the hangars while airplanes are in use. Staff finds that the hangar spaces as well as the airplane maneuvering area meet code and are acceptable.

Finding 3 - Landscape Plan

Condition A-7 of the original decision required the applicant to preserve a 25 foot wide forested buffer or provide L3, L4, or L5 buffers along the perimeter of the site for screening purposes. This buffer shall be maintained. (See Condition A-1a)

Finding 4 - Lighting

The applicant needs to ensure that lighting from the proposal does not cast significant light or glare off-site on adjacent properties or public roadways. (See Condition G-1)

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan meets the land use requirements of the Clark County Code subject to conditions.

TRANSPORTATION CONCURRENCY:Finding 5 - Trip Generation

The applicant submitted a traffic profile for this proposal in accordance with CCC 40.350.020.B. Staff has determined that additional trips associated with the proposed development do not exceed travel speed, delay and LOS standards. The intersections in the vicinity of the proposed development would be minimally impacted by the proposed development. Therefore, further analysis and mitigation by the applicant were not required. The proposed development complies with the Concurrency Ordinance CCC 40.350.020.

TRANSPORTATION:Finding 6 - Frontage

SR-500 is a state route and Washington State Department of Transportation dictates frontage requirements and right-of-way dedication requirements.

Finding 7 - On-Site Transportation

The applicant has proposed a turnaround that meets the requirements of standard drawing #32.

The applicant shall comply with the conditions of the original Immelman Hangars decision (See PSR2008-00015 and Condition A-2a).

Finding 8 - Sight Distance

Sight distance was deemed sufficient during the final engineering review of Immelman Hangars at Grove Field, ENG2009-00030.

Conclusion (Transportation):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the transportation requirements of the Clark County Code.

STORMWATER:Finding 9 - Applicability

Stormwater and Erosion Control Ordinance CCC 40.380 applies to development activities that results in 2,000 square feet or more of new impervious area within the urban area and all land disturbing activities, except those exempted in Section CCC 40.380.030(A). The project will create more than 2,000 square feet of new impervious surface and it is a land disturbing activity not exempted in Section CCC 40.380.030(A). Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance, CCC 40.380.

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 40.380.050. This project is subject to the erosion control ordinance.

Finding 10 - Stormwater Proposal

The applicant submitted a preliminary stormwater report dated September 9th, 2009. The applicant proposes to utilize a bioswale for water quality control and a detention facility for the purpose of water quantity control. The facilities are to be privately owned and maintained.

In accordance with the preliminary stormwater report, the applicant has proposed to utilize existing stormwater facilities that are large enough to receive additional runoff from the proposed developed areas.

Per CCC 40.380.040(C)(1)(g), the project shall not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots (see Condition A-4a).

According to CCC 40.380.050 (B)(8), properties and waterways downstream from development sites shall be protected from erosion due to increases in the volume, velocity, and peak flow rate of stormwater runoff from the project site. Stormwater exiting a parcel shall be discharged with adequate energy dissipaters within the development site to prevent downstream damage according to CCC 40.380.040 (C)(1)(d). An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC 40.380.040(B)(2) is required. (See Condition A-4b)

Per CCC 40.380.040 (H)(3)(b), an easement or a covenant acceptable to the responsible official shall be provided to the county for purposes of inspection of privately maintained facilities. (See Condition A-4c)

Conclusion (Stormwater):

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, meets the stormwater requirements of the Clark County Code.

CRITICAL AQUIFER RECHARGE AREA (CARA):

Finding 11 - Applicability

The CARA code section applies to all critical aquifer recharge areas as defined in Section 40.410.010(C). Based on the county GIS mapping, the proposed project falls entirely in the area of a Category II, therefore, it shall be subject to provisions of the CARA ordinance. The intent is to protect groundwater that may be used in the future for drinking water or business purposes.

Finding 12 - The Applicant's Proposal

The applicant indicates an existing oil/water separator will be used for on-site vehicle maintenance. Airplane fueling currently occurs in designated off-site from the proposed development. Minimal airplane maintenance is anticipated consisting of routine safety checks and mechanical adjustments. The applicant states CCC 40.410 will be fully complied with. The pervious areas of the site are not likely to receive any contaminants because all areas where contaminants will likely be generated will flow away from the pervious areas.

The applicant proposes to wipe up liquid waste that spill in the hangars, conduct all regular airplane maintenance work indoors, keep liquid waste in containers under enclosed or covered areas, keep liquid waste off the ground by using a pallet or similar method, utilize drip pans or absorbent materials, and perform routine maintenance of the shop.

Routine maintenance will include ensuring lessees know where cleanup materials are stored and are familiar with the site's spill control plan proper spill cleanup procedures.

Each hanger will be swept weekly and inspected weekly by its respective lessee. The cleaning of non-contained substances will be conducted in a timely manner. (See Condition A-6)

Conclusion (CARA):

Staff concludes that the proposed CARA plan is feasible and meets the requirements of CCC 40.410.

FIRE PROTECTION:

Finding 13 - Fire Marshall Review

Tom Scott (in the Fire Marshal's Office) reviewed this application and can be reached at (360) 397-2375 x 4095 or 3323 if there are any questions regarding the following review (The site is in Clark County Fire District 5). Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition D-2)

Finding 14 - Fire Flow/Hydrants

Fire flow is required. At the time of construction, the public water system will be able to supply 800 gallons per minute of the 1,000 gallons per minute required fire flow (at 20 PSI). Camas Water has advised that the full 1,000 gallons per minute will be supplied to the site once improvements are made to the water system by 2010.

Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of any building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads.

Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local district fire chief approves the exact locations of fire hydrants.

(See Condition A-8)

Finding 15 - Fire Apparatus Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Ensure that fire apparatus access roads maintain an unobstructed width of not less than 20 feet to within 150 feet of all exterior points of all buildings. Maintain access roads with an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Condition A-9)

Fire apparatus turnarounds are required for this application. The fire apparatus turnaround at the South terminus of the new hangar access road meets the fire code.

Finding 16 - Fire Alarm System

An approved fire alarm system is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office.

The structures will be of non-combustible construction, with one-hour walls separating each individual aircraft hangar. Two-hour walls are to be placed into the structures such that there will be no areas larger than 5,000 square feet between two-hour walls.

(See Condition A-10)

IMPACT FEES:

Finding 17

Traffic Impact Fees (TIF) apply to the proposed rural development which is located within the Rural 1 Subarea. TIF for the proposed hangar building is **\$815.02**.

(Reference IFC2009-00081 and Condition D-1)

Please contact Tahanni Essig at 397-6118, Ext. 5790 for further questions regarding the TIF. If the application is more than three years following the site plan approval, the Impact Fees will be recalculated according to the then current ordinance.

Decision

Based upon the proposed plans and the findings and conclusions stated above, the Development Services Manager hereby **APPROVES** this request, subject to the following conditions of approval:

CONDITIONS OF APPROVAL

A	Final Construction/Site Plan Review Review & Approval Authority: Development Engineering
----------	---

Prior to construction, a Final Construction/Site Plan shall be submitted for review and approved, consistent with the approved preliminary plan and the following conditions of approval:

- A-1 Final Site Plan** - The applicant shall submit and obtain County approval of a final site plan with the following conditions of approval:
- a.** The final site plan shall show or note that a minimum 25 foot wide forested buffer shall be maintained or provide landscape buffers along the perimeter of the site per Condition A-7 of PSR2008-00015 (see Finding 3).
 - b. Archaeology** - A note shall be placed on the face of the final site plan and construction plans "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

- A-2 **Final Transportation Plan/On-Site** - The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:
- a. The applicant shall comply with the conditions for Immelman Hangars at Grove Field, PSR2008-00015.
- A-3 **None**
- A-4 **Final Stormwater Plan** - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.380 and the following conditions of approval (see Findings 9 and 10):
- a. Per CCC 40.380.040(C)(1)(g), the project shall not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.
 - b. According to CCC 40.380.050 (B)(8), properties and waterways downstream from development sites shall be protected from erosion due to increases in the volume, velocity, and peak flow rate of stormwater runoff from the project site. Stormwater exiting a parcel shall be discharged with adequate energy dissipaters within the development site to prevent downstream damage according to CCC 40.380.040 (C)(1)(d). An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC 40.380.040(B)(2) is required.
 - c. Per CCC 40.380.040 (H)(3)(b), an easement or a covenant acceptable to the responsible official shall be provided to the county for purposes of inspection of privately maintained facilities.
- A-5 **Erosion Control Plan** - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.
- A-6 **CARA** - The applicant shall place a note on the face of the final site plan requiring the future tenants to comply with the recommendation of the Level I Site Evaluation Report, dated September 9, 2009, and prepared by Randall S. Goode, P.E. The procedures for compliance with the Best Management Practices shall be made available to the future tenants and posted in appropriate locations. (See Findings 11 and 12)
- A-6 **Developer's Covenant** - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 40.380. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in

a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

- A-7 **Excavation and Grading** - Excavation/grading shall be performed in compliance with Appendix Chapter J of the 2003 International Building Code (IBC); and, drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.
- A-8 Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of any building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local district fire chief approves the exact locations of fire hydrants.
- A-9 Ensure that fire apparatus access roads maintain an unobstructed width of not less than 20 feet to within 150 feet of all exterior points of all buildings. Maintain access roads with an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus.
- A-10 An approved fire alarm system is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. The structures will be of non-combustible construction, with one-hour walls separating each individual aircraft hangar. Two-hour walls are to be placed into the structures such that there will be no areas larger than 5,000 square feet between two-hour walls.

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
----------	---

Prior to construction, the following conditions shall be met:

- B-1 **Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.
- B-2 **Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- B-3 **Erosion Control** - Erosion control facilities shall not be removed without County approval.
- B-4 If any cultural resources are discovered in the course of development construction, the Office of Archaeology and Historic Preservation in Olympia and Heritage Trust of Clark County shall be notified. Failure to comply with these State requirements may constitute a Class C felony, subject to imprisonment and/or fines.

C	Provisional Acceptance of Development Review & Approval Authority: Development Inspection
----------	--

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

None

D	Building Permits Review & Approval Authority: Customer Service
----------	---

Prior to issuance of a building permit, the following conditions shall be met:

- D-1 The applicant shall pay TIF in the amount of **\$815.02** for proposed hangar building (reference IFC2009-00081).

If a building permit is required, then the TIF will be required prior to building permit issuance. If application for a building permit is more than three years following site plan approval, the Impact Fees will be recalculated according to the then current ordinance.

E	Occupancy Permits Review & Approval Authority: Customer Service
----------	--

Prior to issuance of an occupancy permit, the following conditions shall be met:

None

F	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant-
----------	---

- F-1 **Site Plans and other land use approvals** - Within 5 years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.
- F-2 **Building and Fire Safety** - Building and Fire, Life, and Safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.
- F-3 **Department of Ecology Permit for Construction Stormwater** - A permit from the Department of Ecology (DOE) is required If:
- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
 - There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information**

G	Post Development Requirements Review & Approval Authority: As specified below
----------	--

G-1 **Outdoor Lighting** - Exterior lighting shall be located, shielded, and directed to prevent significant off site glare, in accordance with CCC 40.340.010(A)(7) and RCW 47.36.180.

Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Decision Appeal Process:

An **appeal** of any aspect of this decision may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on December 11, 2009. Therefore any appeal must be received in this office by 12:00 PM, December 25, 2009.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee of **\$5,240** (Planning = \$4,826 + Engineering = \$414).

Ninety percent (90%) of the fee will be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public hearing to consider the appeal.

Attachments:

- Copy of Proposed Preliminary Plan

A copy of the approved preliminary plan and Clark County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
<http://www.co.clark.wa.gov>

For Staff Only:

Final Plans Required with Construction Plans	YES	NO
Final Site Plan	X	
Final Landscape Plan:		
-On-site landscape plan	X	
-Right-of-way landscape plan*		
Final Wetland Plan		
Final Habitat Plan		

*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.



